

IOWA BenchPress



Newsletter of the Iowa Judicial Branch

May-June 2002

Good Riddance to FY 2002. What's Ahead for FY 2003?

Good riddance to fiscal year 2002, the worst budget year in the state's history. After undergoing massive budget cuts, many state agencies had no choice but to impose furloughs and close their doors for several days.

Although, the Iowa Judicial Branch saw its operating budget cut by a whopping \$7.4 million this year, the Supreme Court recently announced the court system will make it through the fiscal year without furloughs — a spot of good news at the end of an ugly year.

The cost-cutting measures have taken a heavy toll on every facet of the courts' operation. As a result of the cuts:

- 117 employees lost their jobs; 67 employees had their hours reduced; 79 supervisory employees were downgraded to line staff.
- Approximately 60 clerk of court offices have cut back the hours they're open to the public.
- Many juvenile programs were cut and the CASA program was moved to a state agency.
- Supplies and postage are depleted.
- All state funded education programs were cancelled.

Unfortunately, fiscal year 2003 promises to be another rocky year. The Judicial Branch

escaped the across-the-board cuts imposed on the operating budgets of most state agencies, but the legislature cut the courts' budget in other ways:

- It reduced the state's contribution to the judicial retirement fund by \$1 million.
- It also required the transfer of \$1 million from the jury and witness revolving fund to the general fund. This cut probably won't jeopardize the jury and witness fund according to the State Court Administrator's office.
- It cut the operating budget by \$2.1 million, the equivalent of the 6 furlough days for all court personnel including judges. However, furloughs are not mandatory. The Legislature gave the Judicial Branch the flexibility to try to avoid furloughs by making other cuts or by tapping its technology fund if money is available there.

"While it's too early to know whether we'll need furloughs to balance the budget, the Court's number one goal is to get through the next fiscal year without lay-offs and furloughs," said Chief Justice Louis Lavorato. "To accomplish that goal state revenues must stabilize and the Judicial Branch must continue to hold open most of its vacant positions."

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Court Reporters and Captioners Day

Governor Vilsack proclaimed May 9, 2002 as Court Reporters and Captioners Day in the State of Iowa. The Governor's Proclamation brings attention to an age-old profession that has evolved into an Information Technology (I-T) career that is in high demand. The Iowa Court Reporters Association serves some 320 members who are employed as captioners, freelance court reporters, and official court reporters serving the Judicial Branch.

PROCLAMATION

WHEREAS, the profession of scribe was born with the rise of civilization, and individuals have wanted the spoken word translated into text to record history and to accomplish this task have relied on those scribes;

WHEREAS, in Ancient Egypt, scribes were considered to be the literate elite, recording laws and other important documents, and since that time have served as impartial witnesses to history;

WHEREAS, scribes were present with our Nation's founding fathers as the Declaration of Independence and Bill of Rights were drafted, and President Lincoln entrusted scribes to record the Emancipation Proclamation;

WHEREAS, since the advent of shorthand machines, these scribes have been known as "court reporters";

WHEREAS, Iowa court reporters are an integral part of the legal profession, providing a permanent and impartial record of the words and actions of the bench, bar, and the public citizens of this State;

WHEREAS, Iowa court reporters and captioners translate the spoken word into text and preserve our history;

WHEREAS, Iowa court reporters are responsible for the closed captioning seen scrolling across television screens, for accompanying deaf and hard-of-hearing students to their classes, and for providing

instant translation during church services, in order to provide Iowa citizens with equal access to information.

WHEREAS, whether called the scribes of yesterday, court reporters of today, or real-time captioners of tomorrow, the individuals that preserve the history of the State of Iowa are truly the guardians of the record.



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www.judicial.state.ia.us

2002 Legislative Report

The following summary contains information about legislation of interest to the courts that was approved by the Legislature and signed by the Governor. Unless stated otherwise, bills take effect on July 1. The purpose of this summary is to alert readers to legislative changes that would potentially affect court procedures and practices. This summary does not contain all bills or a complete statement of each bill listed. For more information visit www.legis.state.ia.us.

APPROPRIATIONS

State Infrastructure Fund and Tobacco Settlement

HF 2614

This bill contains appropriations to infrastructure projects.

State Employee Salaries

HF2623

This bill funds the state's collective bargaining agreements, provides raises to judges and non-contract employees, and appropriates money for funding salary adjustment costs. Non-contract employees will be eligible for a step increase beginning July 1, 2002 and will receive a 3% increase effective October 25, 2002. Judges salaries are increased 3% effective December 20, 2002. The bill appropriates \$4 million to the Judicial Branch for salary adjustment funds.

The bill also contains a number of statutory changes. It amends section 602.1302(3) to authorize the payment of costs related to summoning jurors from the jury and witness revolving fund. It eliminates the mandatory fixed percentage of allocations from the court technology fund to domestic abuse and alternate dispute resolution programs.

FY 2002 De-Appropriations II

SF 2304

This bill cut back the budgets of state entities and programs in the latter part of the current fiscal year. It provided

agencies and departments with the option of implementing furloughs to save money. The Judicial Branch budget was cut a total of \$2.2 million.

CIVIL

Small Claims Jurisdiction

HF 518

This bill increases the jurisdictional amount for small claims actions from \$4000 to \$5000 for actions commenced on or after July 1, 2002.

Business Corporations

HF 2509

This bill contains extensive amendments to chapter 490. It establishes a new court procedure to facilitate the payment of claims after a corporation has been dissolved. The Act takes effect January 1, 2003.

Real Estate Contract Sale Disclosure Requirements

HF 2565

This bill creates disclosure requirements involving the sale of real estate on contract. The requirement applies to a contract seller who entered into four or more residential real estate contracts in a 365-day period previous to the seller signing the disclosure statement. The bill contains a number of civil remedies for violations including rescission and restitution, or money damages.

National Guard Civil Relief

SF 2124

This bill contains a number of amendments concerning the military and military personnel including special provisions for the reopening of civil judgments against a service member, the stay of proceedings,

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New Legislation

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the termination of lease agreements and installment contracts, and for foreclosure of mortgages.

Civil Process servers

SF 2141

This bill authorizes sheriffs to appoint one or more civil process server. The court shall take judicial notice of their signatures.

Condemnation of Property by DOT

SF 2192

This bill is devoted to administrative matters involving the department of transportation. However, there are several sections amending the process for appealing the condemnation of property by the DOT. The amendments deal with notice of appeal, the time for filing a petition after perfecting an appeal, and interest on the amount of damages.

Agricultural Land Used for Chicken Farms

SF 2210

This bill regulates the use of agricultural land for chicken enterprises. Violators are subject to a civil penalty of up to \$25,000 and divestiture of their property. Money collected through this action is to be deposited in the county general fund.

Court Fees

SF 2320

This bill increases the following court fees:

- Civil filing fee from \$80 to \$100
- Application for modification of dissolution with stipulation attached from \$25 to \$50
- Final decree of dissolution from \$30 to \$50
- Small claims filing fee from \$30 to \$50
- Small claims appeal from \$50 to \$75
- Motion to show cause in civil case from \$25 to \$50
- Filing mechanic's lien from \$10 to \$20
- Agricultural supply dealer's lien from \$10 to \$20

- Certifying a change of title in real estate (except in probate matters) from \$10 to \$20
- Jury trial from \$10 to \$100.

CRIMINAL

DNA Profiling

HF 2201

This bill requires that the court shall order the division of criminal investigation to conduct DNA profiling on a defendant convicted of a felony or an aggravated misdemeanor for assault with intent to commit sexual abuse. The court may order a defendant not subject to mandatory profiling to submit a physical sample for DNA profiling. The profiling is to be conducted by the department of public safety. The Act takes effect when the department of public safety has enough funds to pay the costs of compliance.

Passing a Stationary Emergency or Towing Vehicle

HF 2112

This bill requires certain precautions by drivers when passing a stationary emergency or towing vehicle. Violations are scheduled violations with a fine of \$50.

Victim Impact Statements

HF 2153

This bill provides that a victim of a crime has the right to present a written, video, or audio victim impact statement in the presence of the defendant in court. Unless otherwise requested, the statement shall be presented at the sentencing hearing and at any hearing regarding reconsideration of sentence. The bill also provides that the victim shall not be placed under oath and subjected to cross-examination at the hearing. Further, the Act should not be construed as to affect the inherent power of the court to regulate the conduct of persons in the courtroom.

OWI

HF 2230

This bill amends some of the penalties for OWI.

Sex Offender Registry: College Students

HF 2338

This bill requires a sex offender who is attending or employed with an institution of higher learning to register in the county where the institution is located in addition to the county where the person resides.

Possession of Weapons

HF 2363

This bill amends the provisions regarding weapons permits. It amends permit restrictions to specifically prohibit "possession" of a weapon or firearm, which is a class "D" felony.

Election Misconduct

HF 2409

This bill revamps election misconduct statutes. It covers such election offenses as registration fraud, vote fraud, bribery, interference with elections, altering or destroying ballots, and offenses related to the voting process. The penalties range from a simple misdemeanor to a class "D" felony.

Watercraft Operation

HF 2447

This bill expands the law regulating watercraft operation.

No-Contact Order Against Persons Arrested for Sex Abuse

HF 2495

This bill requires the magistrate to issue a no-contact order against a defendant who is brought before the magistrate for certain sex abuse charges if the magistrate finds there is probable cause to believe the violation has occurred and the defendant poses a threat to the safety of the victim, the victim's family, or persons who reside

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with the victim. A no-contact order issued pursuant to this section that prohibits a defendant from contacting the victim's children prevails over any conflicting existing order. The order shall state whether a person is to be taken into custody by a peace officer for violation of the order.

Upon final disposition of the charge, the court shall make a determination as to whether the order shall continue in effect for up to five years. Within 90 days of the expiration of the order, the victim may file an affidavit that states the defendant continues to pose a threat to the victim, the victim's family, or person's residing with the victim. Unless the court finds that the defendant no longer poses a threat as alleged, the court shall extend the no-contact order for an additional five years.

The clerk shall provide law enforcement with copies of the order in the manner provided in section 236.5. Notice of the order shall be posted on the domestic abuse registry.

No-Contact Order: Sexual Offenders Released From Incarceration **HF 2506**

This bill creates a new process that allows a victim of a certain sexual offense to file an affidavit with the court requesting a no-contact order against the offender. The affidavit shall state that the presence or contact with the defendant whose release from jail or prison is imminent or who has been released from jail or prison continues to pose a threat to the safety of the victim or the victim's family or other persons living with the victim.

The court shall enter a temporary restraining order for up to ten days. The TRO may be extended for good cause shown for up to ten more days, or longer if agreed to by the offender. Upon motion of the party requesting the order, the court shall issue a no-contact order, which shall set forth the

specific reasons of the order the purpose of the order. The court may order the order to be effective for up to one year. Within 90 days of the expiration of the order, the victim may apply for a new order. Violations of an order are punishable as contempt.

The clerk is not required to post notice of this order on the domestic abuse registry.

This bill raises several questions such as whom, if anyone, provides affidavits or assists litigants with preparing affidavits, and whether the affidavit requires the creation of a new case file in the clerk's office, for which we have no answers.

Anthrax **HF 2507**

This bill creates a new crime prohibiting the possession or distribution of anthrax. Violations are punishable as a class "C" felony for possession and a class "D" felony for distribution.

Assault **HF 2546**

This bill amends section 708.1(1) to classify assault as a general intent crime.

Unlawful Taking of Game **HF 2616**

This bill increases the fine for unlawful taking, a simple misdemeanor, from \$10 to \$20, and increases the fine for violations concerning the possession of venison to \$100.

Drug Offenses **HF 2623**

Although HF 2623 is an appropriations bill, it contains some substantive changes. Section 26 of the bill amends section 124.409 concerning first offenses of certain drug crimes.

Filing of Indictment **SF 2034**

This bill amends the provision regarding the time for filing an indictment or information when an offender leaves the state.

Unauthorized Computer Access **SF 2098**

This bill expands the penalties for unauthorized access to computers. It also allows civil proceedings.

Cloning **SF 2118**

This bill prohibits human cloning and participation in human cloning. The penalties for violations include punishment from an aggravated misdemeanor to a class "C" felony, and revocation of a person's professional license.

Terrorism **SF 2146**

This bill establishes criminal offenses for acts of terrorism. Violations are punishable as felonies.

Sex Offender Residence Restrictions **SF 2197**

This bill prohibits a registered sex offender from residing within 2000 feet of an elementary or secondary school, unless the sex offender had established the residence prior to the effective date of the Act, is serving a sentence, or is subject to an order of commitment. A violation is punishable as an aggravated misdemeanor.

Protection of Animals, Rescue and Disposal of Animals **SF 2268**

Among other things, this bill amends provisions concerning a dog running at large, and the rescue and disposition of a threatened animal. In addition, the bill creates a crime that prohibits the contest events, and related activities, in which an animal is injured, tormented, or killed. The penalty for violation of the law is a serious misdemeanor.



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DOMESTIC ABUSE

Intimate Relationships **SF 2100**

This bill expands the reach of the civil domestic abuse protective orders so that protection is available to persons who are in an intimate relationship or have been in an intimate relationship and have had contact within the year prior to the alleged assault. The court may consider the duration of the relationship, the frequency of interaction, and the nature of the relationship, in determining whether an intimate relationship exists or existed. The scope of section 708.2(a), domestic abuse assault, was not expanded to include assault involving intimate relationships.

FAMILY

Foreign Adoptions **HF 2190**

This bill simplifies the provision for recognition of foreign adoptions. The bill was effective March 29, 2002.

Child Support: Medical Support, Disability Benefits, and College Expenses **HF 2395**

This bill amends various child support laws concerning medical support and social security disability payments to a parent. The bill authorizes the child support recovery unit to issue a national medical support notice to an employer or an employer's health plan administrator for purposes of providing health insurance to a dependent of a person employed by the employer.

In addition, the bill contains a new section concerning the treatment of social security disability awards for child support purposes.

The bill further provides that a support order entered or pending before July 1, 1997, which provides for support of a child for college expenses, may be modified in

accordance with section 598.21(5A). This section was effective March 15, 2002, and is retroactively applicable.

JUDGES

Jurisdiction of DAJs **SF 415**

This bill expands the jurisdiction of district associate judges to include class "D" felonies and all felony arraignments.

Notarial Acts by Judicial Officers **HF 2191**

A judicial officer performing a notarial act, according to state or federal law, is not required to acquire and use a stamp or seal.

JUVENILE

Case Permanency Plans **HF 2399**

This bill concerns a written plan of services and needs assessment for a child who is sixteen years of age or older in out-of-home placement. If the child does not have a plan, a plan shall be developed by any person who may reasonably be expected to be a service provider or responsible for the costs of services for the child when the child becomes an adult.

Child Advocacy Board and CASA **SF 2325**

This bill creates a new state board, the child advocacy board, to oversee the foster care review process and the CASA program. The board shall operate within the department of inspections and appeals. The board shall be composed of nine members including one CASA volunteer and one judge or court employee. The board shall develop a plan for merging CASA and the foster care review process.

MISCELLANEOUS

Liens on City Real Estate **HF 2291**

This allows a city to discharge a judgment lien attached to its real estate by filing a bond in the amount of the judgment, including court costs and accrued interest. If the real estate is located in a county other than the county where the judgment is entered, the clerk in the county where the judgment is entered shall certify to the clerk in the other county that the bond has been filed.

Public Retirement Systems **HF 2532**

This bill contains amendments to IPERS, the judicial retirement system, and other public employee retirement programs. Among other things, the bill enables a judge who has served for at least six years and who is a member of IPERS to put into the judicial retirement program. In addition, the bill expands the senior judge program to include full-time associate juvenile or probate judges.

Advertisements for RFPs **HF 2536**

This bill requires that advertisements for requests for proposals by any state agency or department of government be posted on or linked to a central official state site for RFPs. To comply with the law, Judicial Branch RFPs are to be posted on the branch website from where they will be linked with the central site.

English Only **SF 165**

This Act reaffirms English as the official language of Iowa. The bill states that the English language shall be the language of government in Iowa. All official documents, orders, transactions, regulations,

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New Legislation

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meetings, publications or actions, shall be in English.

Substantive Code Editor Bill

SF 2275

This bill includes some amendments to the probate code, and clarifications regarding the definition of restitution in chapter 910.

Sexually Violent Predators

SF 2286

This bill contains extensive amendments to chapter 229A and adds new provisions concerning offenses committed by a person while in detention or subject to an order, transport orders, review hearings by the court, transitional release, violations by an offender while in transitional release, and release.

Judges and court staff should pay close attention to new hearing and scheduling requirements throughout the bill.

The bill authorizes the court to issue an emergency ex parte order under certain circumstances. The request for an ex parte order may be made orally or by telephone as long as a written request or a facsimile copy of such is filed with the clerk of court the next business day that the court is open.

The bill provides that the Iowa Rules of Evidence do not apply at the hearing of the initial petition filed under 229A.4 and at an annual review hearing. The bill gives the committed person the right to a jury trial for a final hearing.

The bill provides victims with the right to seek a civil protective order under section 915.22. Notices of such orders are not required to be posted on the domestic abuse registry.

This bill was effective April 30, 2002.

Appointment of Acting County Attorney

SF 2288

This bill provides procedures for the appointment of an acting county attorney.

Public Defenders and Appointed Counsel

SF 2301

This bill amends various provisions involving public defenders and attorneys appointed to represent indigent defendants. There are a couple amendments to the process for appointing counsel for indigent defendants. Also, judges and clerks should note that the legislature has decided that under certain circumstances information provided to the court and the state public defender regarding the fees of appointed counsel is confidential under section 22.7.

PROBATE

Total Return Unitrust, Medical Assistance, and Miscellaneous

HF 2539

Among other things, this bill expands the estate of a medical assistance recipient, surviving spouse, or surviving child to include "retained life estates" in addition to other types of interests. The bill defines retained life estate. The bill also amends the Uniform Principal and Income Act and adds new sections to the Act concerning a total return unitrust. The Act was effective on April 5, 2002.

Iowa Trust Code

HF 2531

This bill contains extensive amendments to the trust provisions of the Iowa Code in chapter 633. Among other things, the bill amends sections concerning the conditions and procedures for approving transferring the place of administration of the trust.



Recent Iowa Criminal Decisions

The Bench Press will no longer carry the criminal decisions summaries by Assistant Attorney General Ann Brenden. Cases can be researched both chronologically and by subject at www.iowa-icaa.com. Click on Case Updates, Chronological and Criminal Cases.

New Faces

District 3: **Kim Watson**, *Spencer*, Law Clerk.

District 4: **Jill Shepperd**, *Atlantic*, Judicial Clerk.

District 6: **Amy Greiner**, *Cedar Rapids*, Law Clerk.

Deaths

Retired Senior Judge Max Werling,
Seventh Judicial District.

Milestones: Service Anniversaries

25 Years

Ann Hendricks, Clerk of District Court,
Tama County.

Gary Schoorman, Juvenile Court Officer,
Woodbury County.

Barbara Matheny, Judicial Clerk, *Harrison County*.

James Dahl, Juvenile Court Officer,
Fayette County.

Julie Tonda-Stanton, Court Reporter,
Mahaska County.

Waynette Saul, Trial Court Supervisor,
Black Hawk.

Kathleen Nelson, Judicial Clerk, *Marion County*.

Nancy Derr, Court Reporter, *Lee County*.

Wendell Leonard, Magistrate, *Page County*.

Scott Halverson, Court Reporter, *Black Hawk County*.

30 Years

Donna Smith, Judicial Clerk, *Scott County*.

35 Years

Herbert Wicks, Juvenile Court Officer,
Johnson County.

Judicial Branch Spotlight

District Court Administrator Karen Hibben-Levi retired recently after 30 years of service with the First Judicial District. Karen had served four Chief Judges and four Chief Justices. She experienced the transition from county funding of the courts to state funding, appointment of clerks, computerization of the courts, and many other changes in the court system. Karen plans to travel extensively. She'll also be busy as the Exulted Ruler of the Benevolent Protective Order of the Elks, Lodge #290.



Pictured left to right: District Court Administrators Beth Baldwin (District 5), Karen Hibben-Levi (District 1), Carroll Edmondson (District 6), and Deborah Dice (District 8).

Buchanan County Clerk of Court Staff



The Buchanan County Clerk of Court staff held a reception for Andrea Ryan who retired after 28 years of service. Seated left to right: Vicki Brasch, Buchanan County Clerk, Andrea Ryan, Trial Court Supervisor, retiree. Standing left to right: Cindy Boehm, Marcy Gosse, Deb Nelson, Shari Allen and Candi Walton, Judicial Clerks.

Send us a photograph of your office and we'll be happy to include it in the Bench Press.

Court Announces IOLTA Grant Awards

The Iowa Supreme Court awarded more than \$1 million in grants for fourteen projects, involving thirteen organizations, under the interest on lawyers' trust account (IOLTA) program. The IOLTA program provides funds for legal services to low-income Iowans in civil cases and for special projects relating to law-related education and improving the administration of justice in Iowa. Since the IOLTA program began the court has awarded over \$16 million in grants.

The IOLTA program is administered by a seven-member commission responsible for reviewing applications and making recommendations regarding grants to the Supreme Court.

The court recently awarded grants to the following programs:

1. Legal Services Corporation of Iowa (Des Moines) — \$358,121.00

Provision of legal staff to serve Sioux City, Dubuque, Council Bluffs, Des Moines, Waterloo, Ottumwa, Mason City, Cedar Rapids, and Iowa City regional offices of the grantee in an established program of civil case assistance to low-income Iowans.

2. HELP Through Education and Law Program, Inc. (Davenport) — \$156,674.00

Provision of legal and paralegal staff to offer civil legal assistance to indigent and elderly persons, particularly in the areas of domestic relations, community legal education, service to the institutionalized elderly and domestic abused, and administrative advocacy. (Service area: three-county area including Scott, Clinton and Muscatine.)

3. Legal Aid Society of Polk County, IA, Inc. (Des Moines) — \$160,338.00

Provision of additional legal and paralegal staff to supplement established efforts to

provide civil legal assistance for low-income Polk County persons.

4. Muscatine Legal Services — \$39,397.00

Provision of additional legal staff to maintain an existing program of civil legal assistance to low-income residents.

5. Legal Aid Society of Story County (Nevada) — \$40,682.00

Provision of legal staff support to offset demand for legal assistance for low-income persons.

6. Polk County Bar Association Volunteer Lawyers Project (Des Moines) — \$35,240.00

Provision of staff for volunteer lawyer referral service in Polk County serving low-income community.

7. Sioux County Low Fee Panel, Sioux County Bar Association (Sioux Center) — \$3,040.00

Provision of funds to provide civil legal assistance for economically disadvantaged individuals in the Sioux County area.

8. Iowa State Bar Association Volunteer Lawyers Project (Des Moines) — \$74,507.00

Provision of staff and technical support to increase the participation of attorneys in existing volunteer lawyer projects for indigent Iowans and provide assistance to legal service agencies.

9. Civil Legal Assistance Fund (Fort Dodge) — \$23,750.00

Provision of funds to provide civil legal assistance to low-income fathers, mothers, or children involved in dissolution of marriage or modification cases in which other legal assistance is not available.

10. Black Hawk County Bar Association Program of Legal Assistance for Low-Income Residents (Waterloo) — \$29,640.00

Provision of legal staff to provide legal services for economically disadvantaged individuals in the Black Hawk County area.

11. Know Your Constitution Committee of the Young Lawyers Division, Iowa State Bar Association (Des Moines) — \$5,700.00

Provision of funds for the Know Your Constitution Program, which provides education to Iowa high school students about the United States Constitution.

12. Clinical Law Program, College of Law, University of Iowa (Iowa City) and Drake University Law School Legal Clinic (Des Moines) — \$42,859.00

Provision of funds to continue Poverty Law Internship Program, a clinical law program in which ten upper level law students intern during the summer with legal service providers throughout the state.

13. Legal Services Corporation of Iowa (Des Moines) — \$22,295.00

Provision of legal staff support to continue the Legal Hotline for Older Iowans.

14. Iowa Coalition Against Domestic Violence (Des Moines) — \$19,431.00

Provision of funds to provide immigration and domestic violence related legal services to battered immigrant women and their children.

Judicial Branch Awards

Distinguished Service —Leesa McNeil



Senior Judge Bruce Snell presented the Distinguished Service Award to Leesa McNeil. Leesa has served as the Third District Court Administrator for over 18 years. Leesa chaired the Court Information Summit and has been involved in the creation of the district's mediation program and drug court.

Clerks Win High Marks From Customers

Clerk of court offices won high marks for public service according to the results of the first statewide customer survey. Nearly all customers who responded believed they were treated with respect (98.9%) and served in a timely manner (98.7%). Nearly all customers believed that the information or answer they received was clear and understandable (99%) and most customers were satisfied with the service overall (93%).

Approximately 7,000 people participated in the survey. Of this group, 20% were attorneys and 5 % were title company staff.

Judicial Branch Awards

Distinguished Service —Monroe County Board of Supervisors



Supreme Court Justice Michael Streit presented the Amicus Curiae award to the Monroe County Board of Supervisors. Supervisors Paul Koffman, Denny Ryan, and Mike Beary, were recognized for their leadership roles in renovating the Monroe County Courthouse, for their efforts to enhance courthouse security, and for forging collaboration with local court officials and employees to improve public service.

Meritorious Service —Nancy Timmons and Bert Ann Ray



Supreme Court Justice Mark Cady presented Nancy Timmons (left), and Bert Ann Ray (right) with a 2001 Meritorious Service Award. Nancy has served as an official court reporter for over 28 years. Bert Ann has been the Court Attendant in Story County for the past 25 years.

Osceola County Celebrates Its Courthouse Centennial

By Arlene Kuehl, Osceola County Recorder

On July 5th, the citizens of Osceola County will hold a ceremony commemorating the 100th anniversary of their courthouse in Sibley. The present building wasn't the first courthouse in Osceola County, it's the second and its appearance has changed over the years.

On February 6, 1872, an election was held to build the county's first courthouse.

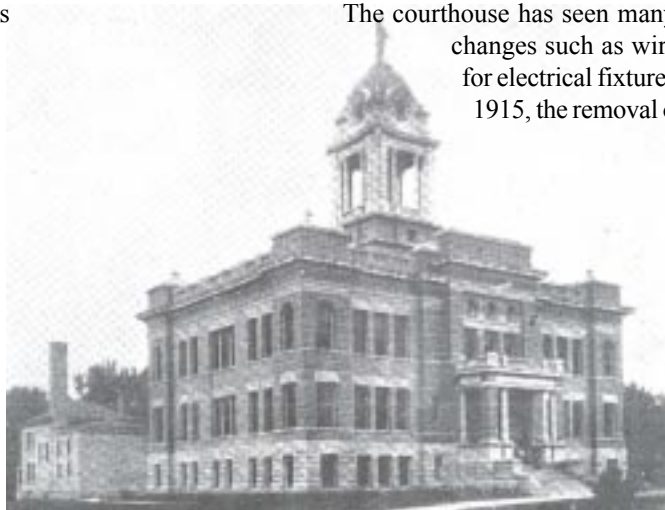
The issue passed, and a contract was let August 12, 1872, to Henry Pfingsten to furnish and put up the first courthouse in Sibley at a cost of \$3,447 and to be finished by

November 1, 1872. Twice additions were made to better accommodate the needs of the county.

Nearly 30 years after the building of the first courthouse, that building was condemned by the grand jury.

At the General Election of 1901, the issue to build a new courthouse passed. The contract was let to C.E. Atkinson of Webster City, Iowa, to build the new 60 foot by 84 foot, two-story courthouse with a basement. The building costs were to be as follows: Courthouse, \$45,197, steam heating plant \$3,073, marble counters and steel vault fixtures \$6,585, gas lighting plant \$505, gas light fixtures \$619, wood furniture \$2,355, decorating and oil paintings \$2,000, Goddess of Justice \$200, cement walk \$1,431, curb \$440, and landscape plans \$50. The sheriff's residence was added at the same time for a cost of \$3,200 and the jail and heating plant at a cost of \$2,800.

The exterior of the building is gray pressed brick with white sandstone trimming. The tower was steel, trimmed in imitation sandstone. The Goddess of Justice stood atop the clock tower.



The courthouse has seen many changes such as wiring for electrical fixtures in 1915, the removal of

the dome and clock tower, and replacement of the Goddess of Justice on the square cupola in 1925. In August 1961, the remaining cupola and statue were removed and a new roof installed.

In 1982, to make the courthouse more handicap accessible, the north entrance of the courthouse was completely remodeled with an addition to include a ramp for accessibility to the ground floor and the addition of an elevator to access the remaining two floors. The elevator was added without changing the interior of the building to any noticeable degree. The bathrooms were remodeled in 1982 and again in 1998 to make them ADA compliant.

The courthouse has been constantly maintained and deserves the many comments of praise of its condition and beauty.

July 5th will be a rededication ceremony for a courthouse that has served its people well and a county that was built on faith and trust by its inhabitants for a better tomorrow.

